



Attorney Docket No. 5218-39B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Anagnostou et al.
Serial No.: 09/525,797
Filed: March 15, 2000
For: METHOD OF TREATING
ENDOTHELIAL INJURY

Group Art Unit: 1642
Examiner: S. Ungar

PATENT

#5
Harry
Jan. 26/02
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Date: October 19, 2001

Commissioner for Patents
Washington, DC 20231

RESPONSE TO ELECTION REQUIREMENT

Sir:

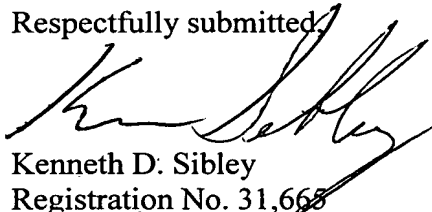
In response to the requirement for election/restriction, applicant hereby elects the species (a) of administering erythropoietin simultaneously with the chemotherapeutic agent (Claims 13, 18 and 23).

This election is made without traverse upon the understanding that, upon the finding of an allowable species, examination will continue with the non-elected species until all have been rejoined and the generic claim is allowed, or a non-allowable species is found.

Applicant respectfully submits that this application is now in condition for substantive examination, which action is requested.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,668

Customer Number:



20792

PATENT TRADEMARK OFFICE

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Signature: *Evelyn B. Casey*
Typed or Printed Name of Person Signing Certificate: Evelyn B. Casey
Date of Signature: October 19, 2001

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